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TRANSMITTAL FORM

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Application Number	10/648,451
Filing Date	08/26/2003
First Named Inventor	Johannes Aebi
Art Unit	1614
Examiner Name	D.M. Seaman
Attorney Docket Number	20806 US1

Total Number of Pages in This Submission

3

ENCLOSURES (Check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	John P. Parise
Signature	
Date	05/17/2005

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	John P. Parise		
Signature		Date	05/17/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Aebi et al.

Group: 1614

Serial No. 10/648,451, filed August 26, 2003

Examiner: D. M. Seaman

For: DIHYDROINDOLE AND TETRAHYCROQUINOLINE DERIVATIVES

COMMUNICATION IN RESPONSE TO OFFICE ACTION

Nutley, New Jersey 07110
May 17, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Communication is filed in response to the Office Action mailed May 10, 2005.
A response to this Office Action is due June 10, 2005.

In the Office Action restriction was required under 35 U.S.C. § 121. Specifically, there are allegedly two independent and distinct groups of inventions. Group I includes claims 1-27 and 29-30, in whole, and claim 28, in part, wherein $m=2$. Group II includes claim 28, in part, wherein $m=1$.

In response to this restriction requirement, applicants elect, with traverse, to prosecute at this time the invention of Group I. Applicants traverse this restriction for

Serial No. 10/648,451
Filed: August 26, 2003

the reasons set forth in the response to restriction in the parent application, now U.S. Patent No. 6,706,751. Upon notice of allowable subject matter in claim 28, applicants would amend claim 28 to recite $m=2$, and would consider filing a further divisional patent application.

If a telephone conference would be of assistance in furthering prosecution, applicants request that the undersigned attorney be contacted at the number below.

No fee is required in connection with the filing of this Communication. If any fees are deemed necessary, authorization is given to charge the amount of any such fee to Deposit Account No. 08-2525.

Respectfully submitted,



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